



PTO/SB/30 (09-03)

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**Request
for
Continued Examination (RCE)
Transmittal**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/033,149
Filing Date	October 19, 2001
First Named Inventor	R. Preston Mason
Art Unit	1617
Examiner Name	JIANG, S.A.
Attorney Docket Number	2189-1 P01CIP

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☒ Affidavit(s)/ Declaration(s)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
The Director is hereby authorized to charge the following fees, or credit any overpayments, to
- a. ☒ Deposit Account No. 03-2410
- i. ☐ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ \$860.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Stephen J. Gaudet	Registration No. (Attorney/Agent)	48,921
Signature		Date	7/16/04

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Renee P. Granito	Date	July 16, 2004
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: R. Preston Mason
Serial Number: 10/033,149
Filed: October 19, 2001
Attorney Docket No. 2189-1 P01CIP

Examiner: Jiang, S.A.
Art Group: 1617

For: SYNERGISTIC EFFECTS OF AMLODIPINE AND ATORVASTATIN
METABOLITE AS A BASIS FOR COMBINATION THERAPY

Perkins, Smith & Cohen, LLP
One Beacon Street, 30th Floor
Boston, MA 02108-3106

To: Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING (37.C.F.R. 1.8(a))

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7.16.04

date of mail deposit

By: Renee P. Granito
Renee P. Granito

RESPONSE C & REQUEST FOR CONTINUED EXAMINATION

Sir:

It is respectfully requested that the enclosed Request for Continued Examination (PTO/SB/30) with appropriate fee be entered. Additionally included is a Petition for a three-month extension of time with the appropriate fee of \$475 under 37 CFR 1.17(a)(2), extending the date of response to the Final Rejection and Request for Continued Examination to July 29, 2004.

In response to the Advisory Action mailed on June 3, 2004, which is a response to a Reply (not entered) filed by Applicant on May 3, 2004, which is in response to the Office Action (FINAL REJECTION) dated January 29, 2004 finally rejecting claims 1-14, 22-28, 57-59 and 63-65 (claims 29-56 and 60-62 were withdrawn from consideration), Applicant respectfully requests that the

Appl. No. 10/033,149

Amdt. Date July 12, 2004

Reply to Office Action of January 29, 2004 (in response to Advisory Action of June 3, 2004)

Attorney Docket No. 2189-1 P01CIP

following amendment be entered canceling claims 7-28 without prejudice, amending claims 1, 4, 6, 57-59, and 63-65, and adding new claims 66-68, and further consider the following remarks that place this Application in condition for allowance.

Amendments to the Claims are reflected in the listing of claims, which begins on page 3 of this paper.

Remarks/Arguments begin on page 6 of this paper.